

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Jeremy McWilliams, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Platinum Advertising II, LLC;
Vexso Black Asset Management, Inc.;
William Siveter; and
John Nelson,

Defendants.

No. 2:21-cv-00607-CB

**Joint Motion for Approval of Revised
Settlement Agreement**

Plaintiff Jeremy McWilliams, individually and on behalf of all other persons similarly situated, and Defendants Platinum Advertising II, LLC, Vexso Black Asset Management, Inc., William Siveter, and John Nelson (“the Parties”) file their Joint Motion for approval of the Parties’ Revised Settlement Agreement (attached hereto as “Exhibit A”).

On March 25, 2022, the parties filed a Joint Motion for Settlement Approval and for Approval of Service Payments and Attorneys’ Fees and Expenses. (Doc. 28). On April 5, 2022, the Court issued an order denying the parties’ Joint Motion without prejudice. (Doc. 29). The Court reasoned, “the parties’ Motion for approval may be capable of resolution without a hearing, except to the extent that putative members purportedly will release state wage claims through participation in the collective action settlement.” *Id.* The Court raised concerns regarding the release language proposed to accompany each check which provided “I hereby release all claims or causes of action... for unpaid minimum and overtime wages” that arise under “the Fair Labor Standards Act, Pennsylvania law and any applicable state, local or municipal law or regulation.”

To address the Court’s concern most effectively and efficiently, the parties’ have revised

the Settlement Agreement to remove all references to all state, local or municipal laws and regulations. As such, the parties' Revised Settlement Agreement is confined entirely to the Fair Labor Standards Act and contains nothing that would implicate Fed. R. Civ. P. 23 or the Class Action Fairness Act. The parties incorporate by reference as if fully rewritten herein all other aspects of their previously filed Joint Motion for Settlement Approval and for Approval of Service Payments and Attorney's Fees and Expenses. (Doc. 28).

Wherefore, the parties respectfully request that the Court issue an order approving the Revised Settlement Agreement as well as the Service Payments and Attorneys Fees and Expenses contained therein.

Respectfully submitted this 4th day of May, 2022

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